

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

COMPASS, INC. AND COMPASS
WASHINGTON, LLC ,

Plaintiffs,

v.

NORTHWEST MULTIPLE LISTING
SERVICE,

Defendant.

CASE NO. 2:25-cv-00766-JNW

ORDER DENYING LEAVE TO FILE
AMICUS BRIEF

Plaintiffs Compass, Inc. and Compass Washington, LLC (collectively, “Compass”) have pursued this antitrust case against Northwest Multiple Listing Service (“NWMLS”), alleging that NWMLS has unlawfully limited competition in the Seattle real estate market. Dkt. No. 1 at 1–2. Compass asserts that NWMLS is owned and controlled by competing real estate brokers who engage in anticompetitive conduct to manipulate Seattle housing prices. *Id.* at 10.

On June 30, 2025, NWMLS moved to dismiss for failure to state a claim. Dkt. No. 27. On July 23, nonparty MindCast AI LLC requested leave to file an amicus brief. Dkt. No. 39. MindCast AI purports to be an “artificial intelligence law and

1 economics analysis platform that specializes in institutional behavior modeling and
2 cross-jurisdictional strategic analysis.” Dkt. No. 39 at 1. It argues that the Court
3 should accept its brief because its “cognitive AI analysis . . . has identified patterns
4 in Compass’s litigation strategy,” showing that Compass has a national, coordinated
5 litigation campaign. *Id.* at 2. It asserts that its brief will assist the Court by
6 revealing the broader context of Compass’s nationwide litigation strategy, and by
7 “[o]ffering insights into the long-term consequences of various legal outcomes based
8 on institutional behavior modeling.” *Id.* at 3.

9 “There is no inherent right to file an amicus curiae brief with the Court.”
10 *Long v. Coast Resorts, Inc.*, 49 F. Supp. 2d 1177, 1178 (D. Nev. 1999). “It is left
11 entirely to the discretion of the Court.” *Id.* (citing *Fluor Corporation and Affiliates v.*
12 *United States*, 35 Fed. Cl. 284, 285 (1996)); see *Raiser v. Kleeger*, Case No. CV 21-
13 9344, 2022 WL 1903133, at *1 (C.D. Cal. Apr. 7, 2022) (quoting *Long* with
14 approval). Ultimately, courts accept amicus briefs when they find them “timely and
15 useful.” *Elias v. Wynn Las Vegas, LLC*, Case No. 2:23-cv-02111, 2025 WL 489982, at
16 *2 (Feb. 13, 2025) (quoting *Long*, 49 F. Supp. 2d at 1178).

17 The Court does not find MindCast AI’s insights about Compass’s litigation
18 strategies helpful in deciding the pending motion to dismiss. Additionally, the
19 motion to dismiss is fully briefed already, and extending the briefing schedule to
20 allow for MindCast AI’s brief would needlessly delay resolution of the motion.
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1 Accordingly, the Court ORDERS that MindCast AI's motion for leave to file
2 amicus brief is DENIED. Dkt. No. 39.

3 Dated this 12th day of August, 2025.

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5 Jamal N. Whitehead
6 United States District Judge
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